

**TOWN OF NORTH HEMPSTEAD  
SOLID WASTE MANAGEMENT AUTHORITY  
AGENDA**



---

**March 20, 2018**

**7:00 PM**

**RESOLUTIONS:**

1. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR A KOMATSU WHEEL LOADER (TNH190-2018).
2. A RESOLUTION AMENDING RESOLUTION NO. S26-2017, ADOPTED NOVEMBER 14, 2017, REGARDING MEETINGS OF THE BOARD OF THE TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY.
3. A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, TRANSFER, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES AND/OR OFFICIALS WITHIN THE AUTHORITY.
4. A RESOLUTION IDENTIFYING TITLES OF EMPLOYEES OF THE TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY WHO ARE REQUIRED TO FILE AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE PURSUANT TO CHAPTER 16A OF THE TOWN CODE OF THE TOWN OF NORTH HEMPSTEAD.

---

## **PROPOSED RESOLUTION**

**Chairperson Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

### **RESOLUTION NO. s10 -2018**

#### **A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR A KOMATSU WHEEL LOADER (TNH190-2018).**

**WHEREAS**, the Town of North Hempstead Solid Waste Management Authority (the “Authority”) has solicited bids for a Komatsu Wheel Loader and Hydraulic Excavator, Authority Project No. TNH190-2018 (the “Equipment”); and

**WHEREAS**, bids in response to the solicitation (the “Bids”) were received and were opened, which Bids are as follows; and

| <b>Bidder</b>   | <b>Price</b> |
|---|--------------|
| F&M Equipment<br>D/B/A Edward Ehrbar<br>4 Executive Plaza, Suite 155<br>Yonkers, NY 10701 | \$382,700.00 |
| Jesco, Inc.<br>118 Nicholas Avenue<br>S. Plainfield, NJ 07080                             | \$274,000.00 |

**WHEREAS**, after a review of the bids, the Executive Director of the Authority (the “Executive Director”) determined that the apparent lowest bidder, Jesco, INC. (“Jesco”), did not meet the bid specifications because the wheel loader bid by Jesco was not the equivalent of the wheel loader requested in the bid specifications and the Jesco could not comply with delivery requirements set forth in the bid specifications; and

**WHEREAS**, based on Jesco’s inability to meet bid specifications, the Executive Director has recommended that Jesco’s bid be rejected as not responsible; and

**WHEREAS**, having examined the remaining bids, the Executive Director determined that that the bid submitted by the next lowest bidder, F&M Equipment, 4 Executive Plaza, Suite 155, Yonkers, New York 10701 (the “Contractor”) was complete and that the Contractor is able to provide the Equipment; and

**WHEREAS**, the Executive Director has therefore recommended that the contract for the Equipment be awarded to the Contractor as the lowest responsible bidder at its bid price of Three Hundred Eighty-Two Thousand Seven Hundred and 00/100 Dollars (\$382,700.00); and

**WHEREAS**, the Town Board desires to authorize the award of a contract to the Contractor as recommended by the Executive Director.

**NOW, THEREFORE, BE IT**

**RESOLVED** that a Contract for the Equipment is hereby awarded to the Contractor, as the lowest responsible bidder, at its bid price of Three Hundred Eighty-Two Thousand Seven Hundred and 00/100 Dollars (\$382,700.00), as more particularly set forth in an agreement which will be filed in the offices of the Authority (the "Award"); and be it further

**RESOLVED** that the Chair of the Board of the Authority is hereby authorized to execute the contract documents, and to take such other action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Office of the Town Attorney, as counsel to the Authority, is hereby authorized and directed to supervise the execution of the contract documents to effectuate the Award; and be it further

**RESOLVED** that the Comptroller is hereby authorized and directed to pay the cost thereof upon receipt of duly executed contract and certified claims therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Chairperson Bosworth, Member Russell, Member Kaplan, Member Seeman, Member De Giorgio, Member Ferrara, Member Zuckerman

Nays: None

cc: Town Attorney      Comptroller      SWMA

|   |                  |
|---|------------------|
| <b>TNH190-2018</b>                                  |                  |
| <b>Komatsu Wheel Loader and Hydraulic Excavator</b> |                  |
|   |                  |
| <b>Winning Vendor</b>                               | <b>Items Won</b> |
|   |                  |
| F&M Equipment                                       |                  |
| D/B/A Edward Ehrbar                                 |                  |
| 4 Executive Plaza Suite 155                         | All Items        |
| Yonkers, NY 10701                                   |                  |
| Matthew Ahern/ Michael Gaine                        |                  |
| 914-738-5100  |                  |
| matthew.ahern@komatsune.com                         |                  |

|   |  |  |  |  |  |
|---|--|--|--|--|--|
| <b>Komatsu Wheel Loader and Hydraulic Excavator</b>   | <b>1</b>                               |  |  | <b>2</b>   |  |
| <b>TNH190-2018</b>  |  | <b>F&amp;M Equipment</b>                               |  |  | <b>Jesco, INC</b>                                      |
| Term-March 20, 2018-March 19, 2019  |  | <b>D/B/A Edward Ehrbar</b>                             |  |  | <b>118 St. Nicholas Avenue</b>                         |
| With an option to renew for one additonal year  |  | <b>4 Executive Plaza Suite 155</b>                     |  |  | <b>S. Plainfield, NJ 07080</b>                         |
|   |  | <b>Yonkers, NY 10701</b>                               |  |  | <b>Jonathan Robustelli</b>                             |
|   |  | <b>Matthew Ahern/ Michael Gaine</b>                    |  |  | <b>908-753-8080</b>                                    |
|   |  | <b>914-738-5100</b>                                    |  |  | <b>governmentalsa@jesco.us</b>                         |
|   |  | <b>matthew.ahern@komatsune.com</b>                     |  |  |  |
|   |  |  |  |  |  |
| <b>Item</b>   | <b>Price per Unit</b>                  | <b>Brand and Model Number for<br/>equivalent items</b> |  | <b>Price per Unit</b>                              | <b>Brand and Model Number<br/>for equivalent items</b> |
|   |  |  |  |  |  |
| <b>Item 1: Wheel Loader</b>   | <b>\$164,500.00</b>                    | <b>Komatsu WA270-8</b>                                 |  | <b>\$137,000.00</b>                                | <b>John Deere 544K-II</b>                              |
| <b>Item 2: Hydraulic Excavator</b>  | <b>\$218,200.00</b>                    | <b>Komatsu PC210LC-11</b>                              |  | <b>\$137,000.00</b>                                | <b>John Deere 210G LC</b>                              |
| <b>Warranty length</b>  | <b>both units=1 year<br/>unlimited</b> |  |  | <b>Included</b>                                    | <b>24 months/2000 hours</b>                            |
| <b>Hourly rate for Service – on site (Outside of warranty)</b>  | <b>\$177.00</b>                        |  |  | <b>\$175.00/hour</b>                               | <b>first 2000 hours included<br/>in bid price</b>      |
| <b>Hourly rate for Service – off site (Outside of warranty)</b>   | <b>\$177.00</b>                        |  |  | <b>\$185.00/hour</b>                               |  |
| <b>Pricing for parts and accessories</b><br>(Bid as discount off list price or percentage above cost)                     | <b>mfg.sug.list 0%<br/>discount</b>    |  |  | <b>2 % off John<br/>Deere parts list<br/>price</b> |  |
| <b>Estimated Delivery time from date of order</b>   | <b>60 days or less</b>                 |  |  | <b>8 weeks</b>                                     |  |
| <b>(Shipping to Port Washington, New York)</b>  |  |  |  |  |  |
|   |  |  |  |  |  |
| <b>* The John Deere Equipmment did not meet the bid specifications and therefore was deemed not a responsible bidder.</b> |  |  |  |  |  |
|   |  |  |  |  |  |

---

## **PROPOSED RESOLUTION**

**Chairperson Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

### **RESOLUTION NO. s11 -2018**

#### **A RESOLUTION AMENDING RESOLUTION NO. S26-2017, ADOPTED NOVEMBER 14, 2017, REGARDING MEETINGS OF THE BOARD OF THE TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY.**

**WHEREAS**, pursuant to resolution No. S26-2017, duly adopted on November 14, 2017 (the “Resolution”), the Board of the Town of North Hempstead Solid Waste Management Authority (the “Authority”) adopted a schedule a meetings of the Board of the Authority for Calendar Year 2018; and

**WHEREAS**, the Town of North Hempstead has scheduled elevator repairs at Town Hall from May through August of 2018 (the “Repairs”); and

**WHEREAS**, to accommodate the Repairs the Board of the Authority wishes to cancel the June 26, 2018 meeting; move the location of the May 8, 2018, June 5, 2018 and July 17, 2018 meetings to the Administration Building Community Room at Clinton G. Martin Park, 1601 Marcus Avenue, New Hyde Park, New York (“CGM”); and move any later meeting to CGM if the Repairs are not completed in time for the later meetings (the “Amendments”); and

**WHEREAS**, this Board desires to amend the Resolution to reflect the Amendments.

#### **NOW, THEREFORE, BE IT**

**RESOLVED** that the Resolution be and hereby is amended to reflect the Amendments; and be it further

**RESOLVED** that public notice of the contents of this Resolution be effectuated in accordance with the New York Public Officers Law.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Chairperson Bosworth, Member Russell, Member Kaplan, Member Seeman, Member De Giorgio, Member Ferrara, Member Zuckerman

Nays: None

cc: Town Attorney

---

**PROPOSED RESOLUTION**

**\*\*\*offered the following resolution and moved its-adoption, which resolution was declared adopted after a poll of the members of this Board:**

**STRICKEN**

**A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, TRANSFER, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES AND/OR OFFICIALS WITHIN THE AUTHORITY.**

**NO RESOLUTION.**



---

## **PROPOSED RESOLUTION**

**Chairperson Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

### **RESOLUTION NO. s12 -2018**

#### **A RESOLUTION IDENTIFYING TITLES OF EMPLOYEES OF THE TOWN OF NORTH HEMPSTEAD SOLID WASTE MANAGEMENT AUTHORITY WHO ARE REQUIRED TO FILE AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE PURSUANT TO CHAPTER 16A OF THE TOWN CODE OF THE TOWN OF NORTH HEMPSTEAD.**

**WHEREAS**, Town Code § 16A-7(A) authorizes the Board to determine those officers, employees and board members who hold policy-making positions for purposes of requiring the filing of Annual Statements of Financial Disclosure (“Disclosure Statements”) with the Town of North Hempstead Board of Ethics (“Board of Ethics”); and

**WHEREAS**, the Board of Ethics has reviewed the titles required to file Disclosure Statements listed below and has not recommended any alterations.

#### **NOW, THEREFORE BE IT**

**RESOLVED** that the Board of the Town of North Hempstead Solid Waste Management Authority has determined that, in addition to those titles set forth in the Town Code, employees in the following titles hold policy-making positions for purposes of requiring the filing of Disclosure Statements:

Executive Director  
Deputy Executive Director  
Secretary  
Secretary to Executive Director

;and be it further

**RESOLVED**, that the Board of Ethics is hereby authorized to exempt those holding any of the above titles from the annual statement of financial disclosure filing requirement in the event the individual is otherwise not subject to Section 16A-7(C) of the Town Code; and be it further

**RESOLVED**, that the individuals holding the titles identified herein shall have until May 15, 2018 to file their financial disclosure forms.

Dated:     Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Chairperson Bosworth, Member Russell, Member Kaplan, Member Seeman, Member De Giorgio, Member Ferrara, Member Zuckerman

Nays: None

cc: Town Attorney